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JOSE BONILLA  
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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
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11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 JOSE BONILLA,

15 Defendant.  
16

CASE NO. CR-07-00251 RMW

DECLARATION OF ANGELICA  
PATRICIA GALLO IN SUPPORT  
OF JOSE BONILLA'S MOTION  
TO WITHDRAW PLEA OF GUILTY

17 I, ANGELICA PATRICIA GALLO, also known as PATTY BONILLA, declare:

18 1. I am the wife of Jose Bonilla, the Defendant in the above-captioned  
19 matter, and we have lived together for the last 18 years.

20 2. In view of my husband's medical condition, as well as our status as  
21 husband and wife, I try to assist my husband with regard to decisions which  
22 affect the family. His entry of a plea of guilty to the indictment in this matter  
23 was one of those issues.

24 3. At one of the first court appearances in this matter, I asked Ms.  
25 Lara Vinnard, my husband's attorney, whether my husband would be subject  
26 to deportation in this matter. I did so because I was concerned about that  
27 issue. I knew that Jose lived in the United States legally, but I wanted to  
28 ensure that Jose would not be deported, if at all possible. Jose's attorney told

1 us that she would look into the matter.

2 4. During the course of the investigation of this case and prior to the  
3 plea of guilty, which was entered in November of 2007, I spoke and met with  
4 an investigator (Mr. Doug Cole), who is employed by the Federal Public  
5 Defender's Office. Further, I asked him on two occasions whether Jose would  
6 be deported if he pled guilty in this matter. I indicated that I needed to be told  
7 if he was going to be deported, since that would be a major factor in his  
8 decision-making as to whether Jose would actually enter a plea of guilty to the  
9 charges contained in the indictment. My last such conversation with the  
10 investigator was approximately one week before the entry of the plea in this  
11 matter. On each occasion, the investigator indicated that I should talk with my  
12 husband's attorney with regard to that issue, since she was the only one who  
13 could provide me with legal advice on that matter. I tried to reach my  
14 husband's attorney by telephone to discuss that issue. But I was not successful  
15 in reaching her.

16 5. I assumed that Jose's attorney or the investigator would tell me  
17 what would happen insofar as deportation was concerned prior to the entry of  
18 the plea of guilty, so that we could decide what to do.

19 6. On the day of the plea, I accompanied my husband Jose to court.  
20 We were not able to speak with Ms. Vinnard prior to the entry of the plea.  
21 Following the entry of the plea, I again asked her what the deportation  
22 consequences would be insofar as the plea of guilty was concerned. She  
23 indicated to me that she would get back to me in a couple of days and that she  
24 would have to talk to an immigration specialist.

25 7. Approximately one week went by and I spoke by telephone with Ms.  
26 Vinnard. She indicated to me that Jose would be deported; she further  
27 indicated to me that another attorney would be appointed in view of the fact  
28 that there was a conflict of interest between her office and us.

1 I declare under the penalty of perjury under the laws of the State of  
2 California that the foregoing is true and correct, and that this declaration is  
3 made on February 19, 2009, at Watsonville, California.

4  
5 /s/  
6 ANGELICA PATRICIA GALLO  
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